

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF MAINE**

**MIRRA COMPANY, INC.,** )  
 )  
 **PLAINTIFF** )  
 )  
 **v.** )  
 )  
 **MAINE SCHOOL ADMINISTRATIVE)**  
 **DISTRICT NO. 35,** )  
 )  
 **DEFENDANT** )

**Civil No. 01-165-P-H**

**ORDER AFFIRMING RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the court on August 23, 2002, with copies to counsel, his Recommended Decision on Defendant's Motion for Partial Summary Judgment. The plaintiff filed its objection to the Recommended Decision on September 12, 2002. I have reviewed and considered the Recommended Decision, together with the entire record; I have made a *de novo* determination of all matters adjudicated by the Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and determine that no further proceeding is necessary.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. The defendant's motion for summary judgment on Count III of the Complaint is **GRANTED**.

**So ORDERED.**

**DATED: OCTOBER 1, 2002.**

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**D. BROCK HORNBY**  
**UNITED STATES CHIEF DISTRICT JUDGE**